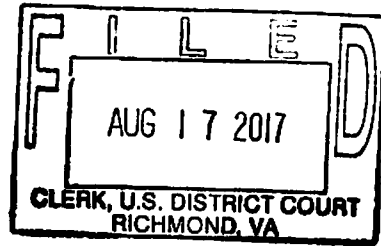


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



LAMOND PERRY,

Plaintiff,

v.

Civil Action No. 3:17CV72

SHERIFF T. GODWIN,

Defendant.

MEMORANDUM OPINION

Lamond Perry, a Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See Dowe v. Total Action Against Poverty in Roanoke Valley, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). In his current Complaint, Perry's allegations fail to provide the defendant with fair notice of the facts and legal basis upon which his or her liability rests. See Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007) (quoting Conley v. Gibson, 355 U.S. 41, 47 (1957)). Accordingly, by Memorandum Order entered on July 14, 2017, the Court directed Perry to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court

warned Perry that the failure to submit the particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the July 14, 2017 Memorandum Order. Perry failed to submit a particularized complaint or otherwise respond to the July 14, 2017 Memorandum Order. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Perry.

Date: August 16, 2017
Richmond, Virginia

/s/ *REP*

Robert E. Payne
Senior United States District Judge